



REGISTER NOTICE

SAN # 2011-07

1. TITLE OF THE REGULATIONS:

Amendment to 7 DE Admin Code 1144 Control of Stationary Generator Emissions

2. BRIEF SYNOPSIS OF THE SUBJECT, SUBSTANCE AND ISSUES:

The Division of Air Quality (DAQ) is proposing to amend 7 DE Admin Code 1144 to update the language based upon recent EPA promulgations for similar engines, and to make minor corrections to the regulatory requirements. When finalizing 7 DE Admin Code 1144 in 2005, DAQ stated that the EPA's "Tier 4" standards would not be required for new, emergency generators if Tier 4 standards ultimately required aftermarket controls to meet the limits. Because Tier 4 standards do require aftermarket controls, DAQ plans to amend the regulation to be consistent with EPA's New Source Performance Standards for internal combustion engines by requiring new, emergency generators to simply meet the Tier 2 or 3 standards, as the regulation already requires.

DAQ is also proposing new recordkeeping and reporting requirements for certain non-emergency generators which are operated in conjunction with a voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant, or system operator. These new recordkeeping and reporting requirements will allow the DAQ to better understand how many non-emergency generators are participating in such programs, and will help the DAQ to gauge their compliance.

Additionally, the regulation will be amended to lower the diesel sulfur requirement of the regulation from 500ppm to 15ppm to be consistent with EPA requirements. Other planned amendments include removing the sulfur content provisions for natural gas, since the generator owner has no control of the sulfur content in the pipeline natural gas which is received. Also, various definitions and regulatory requirements will be clarified and minor errors in the regulatory text shall be corrected.

3. POSSIBLE TERMS OF THE AGENCY ACTION: None

4. STATUTORY BASIS OR LEGAL AUTHORITY TO ACT: 7 Delaware Code, Chapter 60

5. OTHER REGULATIONS THAT MAY BE AFFECTED BY THE PROPOSAL: None

6. NOTICE OF PUBLIC COMMENT:

Statements and testimony may be presented either orally or in writing at a public hearing to be held on Thursday, September 22, 2011 beginning at 6:00 PM in the DNREC's Richardson & Robbins Building Auditorium, 89 Kings Hwy, Dover, DE 19901. Interested parties may submit comments in writing to: Mark A. Prettyman, DNREC Division of Air Quality, 655 S. Bay RD, Suite 5N, Dover, DE 19901.

7. PREPARED BY:

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August 11, 2011
Date